

Dolan

STERNE, KESSLER, GOLDSTEIN & FOX

7845-10-H/KC
01/28/94
08/153237

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DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION:
	CLASS	SUBCLASS	EXAMINER Carlson, K.
0652.0820002/RWE			ART UNIT 1812

Address to:

Commissioner of Patents and Trademarks
Box FWC
Washington, D.C. 20231

This is a Request for filing a continuation-in-part continuation divisional application under 37 CFR 1.62 of prior application Serial No. 07/821,750, filed on January 2, 1992 entitled TNF Receptors, TNF Binding Proteins and DNAs Coding for Them by the following named inventors:

FULL NAME OF INVENTOR	FAMILY NAME <u>HAUPTMANN</u>	FIRST GIVEN NAME Rudolf	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Ebreichsdorf	STATE OR FOREIGN COUNTRY Austria <i>ATX</i>	COUNTRY OF CITIZENSHIP Austria
POST OFFICE ADDRESS	POST OFFICE ADDRESS Döllachstrasse 22	CITY A-2483 Ebreichsdorf	STATE & ZIP CODE/COUNTRY Austria
FULL NAME OF INVENTOR	FAMILY NAME <u>HIMMLER</u>	FIRST GIVEN NAME Adolf	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Vienna	STATE OR FOREIGN COUNTRY Austria <i>ATX</i>	COUNTRY OF CITIZENSHIP Austria
POST OFFICE ADDRESS	POST OFFICE ADDRESS Fürst Liechtensteinstrasse 2/3	CITY A-1236 Vienna	STATE & ZIP CODE/COUNTRY Austria
FULL NAME OF INVENTOR	FAMILY NAME <u>MAURER-EQGY</u>	FIRST GIVEN NAME Ingrid	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Vienna	STATE OR FOREIGN COUNTRY Austria <i>ATX</i>	COUNTRY OF CITIZENSHIP Austria
POST OFFICE ADDRESS	POST OFFICE ADDRESS Lindauerstrasse 35	CITY A-1238 Vienna	STATE & ZIP CODE/COUNTRY Austria

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(continued on page 2)

The above identified prior application in which no payment in the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application (note: 37 CFR 1.60 may be used for applications where the prior application is not to be abandoned).

- Enter the amendment previously filed on _____ under 37 CFR 1.116 but unentered, in the prior application.
- A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS	16-20 =	0	X \$22 =	\$ 0
	INDEPENDENT CLAIMS	4-3 =	1	X \$74 =	74
	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$230	0
				BASIC FEE	\$710
				Total of above Calculations =	784
	Reduction by 1/2 for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). If applicable, verified statement must be attached.				n/a
				TOTAL =	\$784

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FULL NAME OF INVENTOR	FAMILY NAME STRATOWA	FIRST GIVEN NAME Christian	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Vienna	STATE OR FOREIGN COUNTRY Austria AT	COUNTRY OF CITIZENSHIP Austria
POST OFFICE ADDRESS	POST OFFICE ADDRESS Schellinggasse 3/9	CITY A-1010 Vienna	STATE & ZIP CODE/COUNTRY Austria
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

3. The Commissioner is hereby authorized to charge fees *deficiencies* under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 19-0036.
4. A check in the amount of \$ 1,624.00 is enclosed (includes three-month extension fee of \$840.00).
5. A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.
6. Amend the specification by inserting before the first line the sentence:

C This application is a continuation-in-part, continuation, division, of application Serial No. 07/821,750, filed January 2, 1992.

7. A verified statement claiming small entity status is enclosed (necessary even if a statement was filed in the prior application).
8. Priority of application Serial No. P 39 13 101.7 filed on 21 April 1989 in Germany; Serial No. P 39 20 282.8 filed on 21 June 1989 in Germany and Serial No. 90106624.1 filed on 6 April 1990 in Europe (EPO) is claimed under 35 U.S.C. 119.
9. The prior application is assigned of record to Boehringer Ingelheim International GmbH.
10. The power of attorney in the prior application is to:

Robert G. Sterne, Reg. No. 28,912; Edward J. Kessler, Reg. No. 25,688; Jorge A. Goldstein, Reg. No. 29,021, Samuel L. Fox, Reg. No. 30,353 and Robert W. Esmond, Reg. No. 32,893 (see Associate Power of Attorney for Robert W. Esmond, filed concurrently herewith).

11. Also enclosed, for filing in prior application Serial No. 07/821,750 are:
- Petition for Extension of Time under 37 C.F.R. § 1.136 (in duplicate); and
 - Associate Power of Attorney for Robert W. Esmond.

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

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Suite 600
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It is understood that secrecy under 35 U.S.C. 112 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

Nov. 17, 1993

Date

Robert W. Esmond
 Attorney for Applicants
 Registration No. 32,893

Nov. 17, 1993

Signature

- inventor(s)
 assignee of complete interest
 attorney or agent of record
 filed under § 1.34(a)